

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 15-cr-20325

Honorable Sean F. Cox

Magistrate Judge David R. Grand

RICKIE BELLAMY, SR.,

Defendant.

REPORT AND RECOMMENDATION TO FIND DEFENDANT
RICKIE BELLAMY, SR. COMPETENT TO STAND TRIAL

In this criminal action, on June 2, 2015, defendant Rickie Bellamy, Sr. (“Bellamy”) was indicted by the Grand Jury on 13 counts of violating (and/or aiding and abetting the violation of) 21 U.S.C. §841(a)(1) – Distribution of Controlled Substance (Heroin), and one count of violating 18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm. [13]. On June 11, 2015, the Court entered an Order for Psychiatric or Psychological Examination of Defendant to Determine Competency.” [15]. Bellamy was evaluated at the Federal Medical Center in Lexington, Kentucky by Dr. Judith (Betsy) Campbell, Ph.D., Forensic Psychologist. On October 1, 2015, Dr. Campbell issued a written report in which she found that Bellamy “meets the basic criteria of competency to stand trial,” and “displayed a basic, concrete understanding of the proceedings against him and demonstrated sufficient present ability to consult with his attorney regarding the charges against him.” She concluded that “Bellamy is currently competent to stand trial.”

On November 18, 2015, the parties appeared before the undersigned for a competency hearing in this matter. [39]. Counsel indicated that they and their respective clients did not object to Dr. Campbell’s conclusions, and were stipulating that Bellamy is competent to stand

trial in this matter. [*Id.*]. They provided the Court with a written stipulation to that effect, which the Court entered. [*Id.*]. The Court, on the record, explained that it had reviewed the stipulation, as well as Dr. Campbell's report, and that based on the information contained in the report, it concurred that Bellamy is competent to stand trial. [*Id.*]. Neither party objected to that finding by the Court.

In light of the foregoing, the Court **RECOMMENDS** that Bellamy be found competent to stand trial at this time with respect to the charges he is facing in this criminal action.

Dated: December 2, 2015
Ann Arbor, Michigan

s/David R. Grand
DAVID R. GRAND
United States Magistrate Judge

NOTICE TO THE PARTIES REGARDING OBJECTIONS

The parties to this action may object to and seek review of this Report and Recommendation, but are required to act within fourteen (14) days of service of a copy hereof as provided for in 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Secretary of HHS*, 932 F.2d 505, 508 (6th Cir.1991); *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981). The filing of objections which raise some issues, but fail to raise others with specificity, will not preserve all the objections a party might have to this Report and Recommendation. *Willis v. Secretary of HHS*, 931 F.2d 390, 401 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Pursuant to E.D. Mich. LR 72.1(d)(2), a copy of any objections is to be served upon this magistrate judge.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on December 2, 2015.

s/Eddrey O. Butts

EDDREY O. BUTTS

Case Manager